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FAX TRANSMISSION**DATE:** November 7, 2006**PTO IDENTIFIER:** Application Number 09/935,487-Conf. #1401

Patent Number

Inventor: Robert Rioux et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP

Lisa Swiszez Hazzard

PHONE: (617) 439-4444**Attorney Dkt. #:** 62894(71589)**PAGES (Including Cover Sheet):** 11**CONTENTS:** Amendment Transmittal (1 page);
Response to Office Action (8 pages);
Certificate of Transmission (1 page).

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PTO/SO/97 (09-04)

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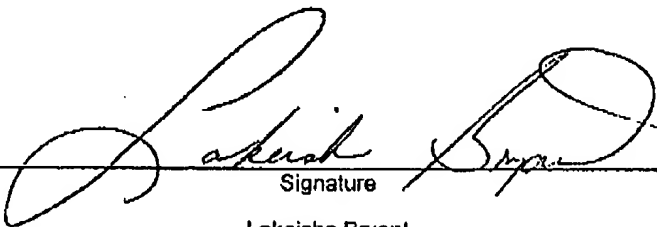
Application No. (if known): 09/935,487

Attorney Docket No.: 62894(71589)

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Amendment Transmittal (1 page);
Response to Office Action (8 pages).

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| AMENDMENT TRANSMITTAL LETTER | | | | Docket No. 62894 (71589) | |
|--|---|---|-----------------------------------|--------------------------------|------|
| Application No. 09/035,487-Conf. #1401 | Filing Date August 23, 2001 | Examiner B. E. Pellegrino | Art Unit 3738 | | |
| Applicant(s): Robert Rioux et al. | | | | | |
| Invention: MAINTAINING AN OPEN PASSAGEWAY THROUGH A BODY LUMEN | | | | | |
| TO THE COMMISSIONER FOR PATENTS | | | | | |
| Transmitted herewith is an amendment in the above-identified application. | | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 7 | - 20 = | 0 | x 50.00 | 0.00 |
| Independent Claims | 1 | - 3 = | 0 | x 200.00 | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |
| <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity | | | | | |
| <input checked="" type="checkbox"/> No additional fee is required for this amendment. | | | | | |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. | | | | | |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. | | | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1105</u> as described below. A duplicate copy of this sheet is enclosed. | | | | | |
| <input checked="" type="checkbox"/> Credit any overpayment. | | | | | |
| <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. | | | | | |
| Lisa Swiszc Hazzard Attorney/Agent Reg. No. 44,368 | | | | Dated: <u>November 7, 2006</u> | |
| EDWARDS ANGELL PALMER & DODGE LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 439-4444 | | | | | |

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Docket No. 62894 (71589)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------|---|-------------------|---------------|
| APPLICANT: | Rioux et al. | Confirmation No.: | 1401 |
| U.S.S.N.: | 09/935,487 | Art Unit: | 3738 |
| FILED: | August 23, 2001 | Examiner: | B. Pellegrino |
| FOR: | MAINTAINING AN OPEN PASSAGEWAY THROUGH A BODY LUMEN | | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

This is a response to the Office action mailed August 10, 2006.

If for any reason a fee is required, a fee paid is inadequate, or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. 04-1105. If any extension-of-time is required, please consider this a petition for the extension period needed to have this paper entered and considered.

Listing of Claims begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

A Conclusion begins on page 8.